

MR. TAFT GAVE LABOR ITS RIGHTS

Defined Them in the Phelan Case
Beyond Successful Attack
and Blew Breath of Life
Into Sherman Law.

TRADE UNION'S BEST WEAPON

Handed Down the Decisions in Railroad Cases Which Fixed the Principles on Which the Trades Unions Are Based and Which Made Them Lawful and Prosperous.

Judge Taft's career upon the bench will ever receive its most important reflection, in the popular mind, from the decisions affecting labor, which it became his duty to utter. That his services on the Sixth Circuit, in collaboration with Judge William R. Day (now an Associate Justice of the Supreme Court) and Judge H. H. Lurton, who remains on the Sixth Circuit, in illuminating the obscurities, defining the meaning and directing the enforcement of the statutes, were no less important, does not detract from the weight of his decisions concerning labor.

Ranking with these labor decisions, of which there were three, was the decision in the "Addyston pipe" case, which blew the breath of life into the moribund Sherman law. It showed Mr. Roosevelt the line to which to tie up all the railroad cases, and establish the right of the Federal Government to control interstate commerce. The rights of labor have been marked out by Mr. Taft so that they stand as sharply and clearly defined as they were confused and undetermined before. This has been altogether to the profit of unionized labor, not to its disadvantage. Judge Taft placed firmly in the hand of labor, to use properly as a weapon of offense and defense, the right of strike, to proceed lawfully against unfair employers and in a manner to secure it from prosecution. These facts cannot successfully be controverted.

Mr. Taft has been held accountable for the sins implied by a phrase, "government by injunction," in reality as void of meaning as most catch phrases are, which sprang into existence during the American Railway Union strike of 1894. His decision, which was in the Phelan case, was inspired by incidents growing out of the endeavor of Eugene V. Debs to tie up all the railroads in order to reinforce the efforts of the Pullman Company to obtain higher wages and just and needed concessions. Debs' idea was that if the railroads would refuse to handle Pullman cars it would insure the success of the strike, as undoubtedly it would have done. In some of his efforts to tie up roads that would not handle the Pullmans, his men collided with the law of injunctions and were worsted.

One of these men was F. W. Phelan, who was commissioned by Debs to go to Cincinnati and tie up the roads entering there. Among them was the Cincinnati, New Orleans and Texas Pacific, or Cincinnati Southern, which was being managed by a receiver appointed by Judge Taft. The ordering out of these men as a measure of sympathy with the Pullman strikers was in effect a boycott. The receiver of the railroad sought and obtained from Judge Taft an injunction prohibiting the strikers from interfering with traffic. Phelan was determined. He told his followers to go ahead and disregard the injunction.

Phelan was haled into court. The strikers were not in a conciliatory mood, to say the least, and the degree of animosity that was manifested against Judge Taft was such as to alarm his friends for his personal safety. The court-room was packed with strikers, and they were grim and ugly for Phelan they considered in the light of one who was on the way to martyrdom, largely because of the anger of a judge whose injunction he had spurned.

It was a foregone conclusion, on the evidence, that Phelan would be condemned. Judge Taft reviewed the evidence fully. He cited authorities to establish beyond dispute that while the employees of the railroad had a right to cease work, they had no right to combine to injure the road or to cause it to withdraw from a profitable business with a third party, when the relation thus interrupted had no connection with the kind of service given by the employees or the compensation they received for it.

Attorneys for labor unions have since successfully utilized in pleading for the rights of their clients in court this definition of the rights of labor set forth by Judge Taft in the Phelan case.

"The employees of the receiver had the right to organize into or join a labor union which would take action as to the terms of their employment."

"It is a benefit to them and to the public that laborers should unite for their common interest and for lawful purposes."

"They have labor to sell. If they stand together they are often able, all of them, to obtain better prices for their labor than dealing singly with rich employers, because the necessities of the single employe may compel him to accept any price that is offered."

"The accumulation of a fund for those who feel that the wages offered are below the legitimate market value of such labor is desirable."

"They have the right to appoint officers who shall advise them as to the course to be taken in relations with their employers."

"They may unite with other unions."

"The officers they appoint, or any other person they choose to listen to, may advise them as to the proper course to be taken, both in regard to their common employment, or if they choose to appoint anyone, he may order them on pain of expulsion from

THE THIEF AND THE DOG



"A thief, who came near a house one night to rob it, was very much annoyed at finding a stout dog in the courtyard, who kept up a loud and steady bark. To quiet him, he threw him a tempting piece of meat, whereupon the dog exclaimed: 'When first you came I fancied you might be a thief, now that you try to bribe me from my duty, I am sure you are one, and I shan't leave off barking while you are about the premises.'—Aesop's Fables."

the union peaceably to leave the employ of their employer because any of the terms of employment are unsatisfactory."

Coming to Phelan, Judge Taft applied the law—not his own ideas as to the legality of the man's conduct, but the LAW—to his actions. Had Phelan, as the judge explained, utilized an opportunity when the receiver of the railroad reduced wages and urged a peaceable strike, incited a strike for the increase of wages, and won, to quote Judge Taft: "The loss to the business of the receiver would not be ground for recovering damages, and Phelan would not have been liable for contempt, even if the strike much impeded the operation of the road under the order of the court. His action in giving the advice, or issuing an order based on unsatisfactory terms of employment, would have been entirely lawful."

The judge stood like a rock at his desk and conveying the sense of personal contact so strongly that each man felt as though Judge Taft were looking straight into his eyes, speaking to him individually, he said:

"When you men leave this room I want you to go with the conviction that if there is any power in the army of the United States to run those trains, they shall be run!"

Bang! came his fist hard to the desk. There was no more trouble. He did the same strikers a good turn afterwards—and at Phelan's request. The receiver would not take any of the striking employes back when the strike ended. Phelan went to Judge Taft.

"No ill-will, Judge," he said; "I got what I deserved. I didn't see it then, but I do now. I broke the law and I made trouble for a lot of folks besides myself. But I wish you would do something, if you can, for the boys that can't get back. Not so much for them, as for the women and children. You know what it means when the men can't get work."

Judge Taft communicated with the receivers and the strikers were given jobs.

PARKER CRAWLS FROM UNDER

Alton B. Parker, who was supposed to have been buried so deep under an avalanche of ballots four years ago that he would not be heard from again for a decade or two, has managed to crawl out, and is emitting some rather doleful protests which have attracted the attention of the public to the fact that he is alive.

From what can be made out of his cries, it seems that he blames President Roosevelt for his misfortune in getting snowed under so deeply, and wants Bryan to defeat Taft because Taft is a friend of Roosevelt. He also says that he is giving President Roosevelt "what has been coming to him for a long time."

No one can blame Judge Parker for feeling bad. That heap of ballots must have lain on his chest worse than a rarebit nightmare; but he should not splutter out his indignation against Messrs. Roosevelt and Taft. The American people are to blame for Parker's very crushing defeat, and he ought to direct his abuse against them, and not against the present and the next President, who could not help the popular preference.

"Medocrity will never do for William," said Judge Alphonso Taft of William H., when he was only a small boy. And it didn't, but what Mr. Taft has attained has come through the most strenuous toil. As one man wrote of him: "He works harder, plays harder, eats harder and lives harder than any man in public life to-day."

The history of the Taft and the Torrey families in New England for 239 years had been collected by Mr. Taft's mother when she died in December last. She was Miss Louise M. Torrey, of Millbury, Mass.

The American traveler abroad who went to the time and expense of coming home to vote sets an example of patriotism to those citizens who did not take the trouble to register.

CHRISTIAN MISSIONS AND CIVILIZATION

Address Delivered at Carnegie Hall,
New York City, April, 1908, by
the Hon. William H. Taft.

I have known a good many people that were opposed to foreign missions. I have known a good many regular attendants at church, consistent members, perhaps, that religiously, if you choose to use that term, refused to contribute to foreign missions. Now, I confess that there was a time when I was enjoying a smug provincialism that I hope has left me now, when I rather sympathized with that view. Until I went to the Orient, until there were thrown on me the responsibilities with reference to the extension of civilization in those far distant lands, I did not realize the immense importance of foreign missions. The truth is we have got to wake up in this country. We are not all there in the world. There are lots besides us, and there are lots of people besides us that are entitled to our effort and our money and our sacrifice to help them on in the world. No man can study the movement of modern civilization from an utterly impartial standpoint and not realize that Christianity is the basis for the hope of modern civilization and the growth of popular self-government. The spirit of Christianity is pure democracy. It is the equality of man before God, the equality of man before the law, which, as I understand it, the most God-like manifestation that man has been able to make. Now, I am not here to speak of foreign missions from a purely religious standpoint. I am here to speak of it from the standpoint of political, governmental advancement, the advancement of modern civilization. And I think I have had some opportunity to know how dependent we are on the spread of Christianity in any hope that we may have of uplifting the peoples whom Providence has thrust upon us for our guidance.

Religion and Political Government.

I am talking practical facts about the effect of religion on the political government, and I know what I am talking about. I did not realize until I went into the Orient the variety of things that foreign missions accomplish. The missionaries have reached a man a good Christian, you have got to make him useful in a community and teach him something to do and give him some sense and intelligence.

So, connected with every successful foreign mission is a school. Ordinarily an industrial school. Also they teach the native that cleanliness is next to Godliness and that one business of his is to keep himself healthy, and so in connection with every good foreign mission they have hospitals and doctors. And, therefore, the mission makes a nucleus of modern civilization, with schools, teachers and physicians and the church. In that way, having educated the native, having taught him how to live, they are able to be sure that they have made him a consistent Christian.

China Headed Right.

Every foreign mission in China is a nucleus of modern civilization. Now China is in a great state of transition. China is looking forward to progress. China is to be guided by the young Christian students and scholars that either learn English or some foreign language at home or are sent abroad to be instructed, and who come back and whose words are listened to by those who exercise influence at the head of the Government. Therefore it is that these frontier posts of civilization are so much more important than the mere numerical count of converts seems to make them.

I speak from the standpoint of political civilization in such a country as China. They have, I think, 300,000 missionaries in China. The number

of students was 35,000 last year. They go out into the neighborhoods and they cannot but have a good effect throughout that great empire, large enough as it is, to promote the ideas of Christianity and the ideas of civilization. Two or three things make one impatient when he understands the facts. One is this criticism of the missionaries as constantly involving the governments in trouble, as constantly bringing about war. The truth is that Western civilization in trade is pressing into the Orient and the agents that are sent forward, I am sorry to say, are not the best representatives of Western civilization. The American and Englishman and others who live in the Orient, a few of them excellent, honest, God-fearing men; but there are in that set of advance agents of Western civilization gentlemen who left the West for the good of the West, and because their history in the West might prove embarrassing at home. More than that, even where they are honest, hard-working tradesmen and merchants attempting to push business into the Orient, their minds are constantly on business. It is not human nature that they should resist the temptations that do not infrequently present themselves to get ahead of the Oriental brother in business transactions. They generally are quite out of sympathy with a spirit of brotherhood toward the Oriental natives. Even in the Philippines that spirit is shown, for while I was there I can remember hearing on the streets, sung by a gentleman that did not agree with my view of our duty toward the Philippines:

"He may be a brother of William H. Taft."

But he isn't no brother of mine." Now that is the spirit that we are so likely to find among the gentlemen who go into the East for the purpose of extending trade. Then I am bound to say that the restraints of public opinion, of a fear of the criticism of one's neighbors that one finds at home, to keep men in the strict and narrow path, are loosened in the Orient, and we do not find that they are the models, many of them, that they ought to be in probity and morality. They look upon the native as inferior, and they are too likely to treat him with insult.

Civilization Paralleling Trade.

Hence it is that in the progress of civilization we must move along as trade moves; and as the foreign missions move on, it is through the foreign missions that we must expect to have the true picture of Christian brotherhood presented to those natives, the true spirit of Christian sympathy. That is what makes in the progress of civilization the immense importance of Christian missions. You go into China to-day and try to find out what the conditions are in the interior—consult in Pekin the gentlemen who are supposed to know, and where do they go? They go at once to the missionaries, to the men who have spent their lives far advanced into the nation, far beyond the point of safety if any uprising takes place, and who have learned by association with the natives, by living with them, by bringing them into their houses, by helping them on to their feet, who have learned the secret of that Chinese life. And therefore it is that the only reliable books that you can read, telling you the exact condition of Chinese civilization, are written by these same foreign missionaries who have been so much blamed for involving us in foreign wars.

The Boxer War.

It is said that the Boxer war was due to the interference of missionaries, and the feeling of the Chinese against the Christian religion as manifested and exemplified by the missionaries. That is not true. It is true that the first outbreak was against the missionaries—because the outbreak was against foreign interference, and it was easiest to attack those men who were farthest in the Chinese nation, and there they made expression of that feeling by their attack against the whole foreign interference. But that which really roused the opposition of the

WHEELS WILL GO ROUND IF TAFT IS ELECTED.

SO SAY MANUFACTURERS.

The National Association of Manufacturers, through its organ, American Industries, has just completed a canvass of its 3000 members throughout the United States in nearly every line of trade to ascertain the country's commercial status twelve months after the panic. The canvass was not made to serve any political purpose, and the forthcoming election was not mentioned, but the members of the association have taken advantage of one of the questions to declare that prosperity depends upon the election of Taft.

The canvass was made by means of letters sent out two weeks ago. Four questions were asked of the members relating to the exact condition of trade at present, the percentage of increase in business in the last ten months, the possibilities for future improvement and any suggestions which might serve to better future conditions. Everybody answered the last question by suggesting that Taft be elected.

James W. Van Cleave, president of the National Association of Manufacturers, says of the outlook:

Nearly every issue of the trade papers all over the country reports the reopening of steel, cotton and woolen mills and the increase in the working forces of some of these already open. There are fewer idle persons in the United States now than at any previous time since the beginning of the scare last November. Aside from the chance—the very remote chance—that Bryan may be elected, there is not a cloud on the business horizon, so far as I can see at this moment.

Let it be remembered that in the shape in which it presents itself tariff adjustment will cause no perceptible halt in the revival of trade. By its platform and the repeated promises of its candidates the dominant party is pledged to revision. Just as I have urged the revising is to be done by an extra session of Congress just as soon as the new President enters office in March, 1909. The adjustments will be done in the interest of the American manufacturer, the American worker and the American consumer, and not in the interest of the manufacturers and workers of Great Britain, Germany, Japan and the rest of Europe and Asia.

A few of the suggestions for the future with the firms suggesting them, are as follows:

The Woodward Iron Company, Woodward, Ala.—"Elect Taft." Alabama Consolidated Coal and Iron Company, Birmingham, Ala.—"The possibilities for the iron trade in 1909 hinge on the election of Taft as President and the ability of the railroads to finance their needs."

Hardie-Tynes Manufacturing Company, Birmingham, Ala.—"If the Republican ticket is elected we believe the outlook is bright for a good business."

The Baltimore Bridge Company, Baltimore, Md.—"Elect Taft. The Democrats had the opportunity of a lifetime and sold their birthright for a mess of pottage."

Lowell & Engell, lumber, Bangor, Me.—"The only suggestion we can make in regard to increasing the general prosperity of the country is that we must all do our utmost to elect Mr. Taft. We believe the election of Bryan would be a national calamity from a business point of view."

Marshall Electric Company, Boston—"If Bryan is elected we shall probably have a setback of a year or more, as our business depends largely upon new building undertakings, which are super-sensitive to confidence."

Lowney Chocolate Company, Boston—"I think the outlook for the year fairly good. If we elect Taft we may by a year from now be enjoying good business."

The Atlantic Works, East Boston—"Elect William H. Taft President. The election of Mr. Bryan will, in our opinion, prolong business conditions indefinitely."

Portland Iron and Steel Company, Boston—"We believe that the manufacturers and merchants are now only awaiting the final outcome of the election, and if a Republican administration is continued on a sane and conservative basis prosperity for everybody is assured."

Interlaken Mills, Providence, R. I.—"We consider the trade possibilities for the year are favorable. The election of Mr. Bryan would be a serious blow to all kinds of business and very nearly criminal when the character and fitness of Mr. Taft are taken into consideration."

The Diamond Mills Paper Company, New York—"The business outlook is rather encouraging and from present indications we think that if the Republican party is successful in the coming election there is no doubt there will be a considerable increase and a good and stable business."

J. & C. Fischer, piano manufacturers, New York—"With the election of Mr. Taft we think trade possibilities for the coming year will rapidly get back to normal conditions and that the best industrial years this country has ever seen are before us."

Welbach Company, Philadelphia—"General prosperity will be promoted by the election of the Republican candidates and the administration by business men of all branches of industry on the square deal basis."

The Allene Brass Foundry Company, Cleveland—"A brief suggestion which may help in promoting general prosperity—Taft."

M. A. Fay & Egan Company, woodworkers, Cincinnati—"We confidently expect that if the Cincinnati candidate is elected business will pick up gradually until it reaches its normal conditions."

The Standard Tool Company, Cleveland—"With the election of Mr. Taft we feel sanguine that business will take a big jump."

Ford Motor Company, Detroit—"To promote general prosperity vote for William Howard Taft."

Palme Lumber Company, Oshkosh, Wis.—"If the Republican party remains in power and carries out its pledges the coming year will be one of prosperity."

Homer Laughlin China Company, East Liverpool, Ohio—"If Taft is successful we believe the normal trade conditions will gradually be restored. If Bryan is successful we anticipate a much more serious interruption in business than that which occurred a year ago and one of much longer duration."

Connersville Blower Company, Connersville, Ind.—"We do not look for a speedy return of prosperity, but think that if Taft is elected it may be anticipated next year, whereas if Bryan should succeed we fear it will be much delayed."

Davis Sewing Machine Company, Dayton, Ohio—"Elect Taft and prosperity will return of its own accord."

PROTECTION OF WAGE SCALE.

Under our present law we place a tariff on goods made by underpaid labor in Europe, so that these goods cannot come into American markets to the disadvantage of American goods made by higher paid American workers. We protect in this way the American wage scale against the competition of cheap foreign labor. If the law which gives this protection is removed and American manufacturers have to meet the prices of goods made by European labor, the wage scale of the American workmen will have to be cut down. Mr. Bryan and his party do not believe in the principle of the protective tariff and want to abolish it. Hasn't American labor all the competition it can stand without adding the competition of underpaid foreign labor? The Republican law which protects the wage scale of American workmen will not be abolished unless the workmen abolish it themselves by voting the Democratic ticket. Mr. Taft promises to improve the law, but to maintain the principle. Mr. Bryan promises to destroy the law. Which do you want?

"If any man votes against me because I have done my duty, let him."—Judge Taft. These sounds the courage of a conscience confident because it is sound.

Judge Taft has served an injunction of enjoinment and logic upon the Democratic tradition of the gold South. The record on the lathum proves that organized labor never had a better friend than Secretary Taft.